

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No.: 4:11-cr-284 ERW (NAB)
	)	
MILTON OHLSEN, III,	)	
	)	
Defendant.	)	

**THIRD UNOPPOSED MOTION TO CONTINUE TRIAL**

COMES NOW Defendant, Milton Ohlsen, III, by and through counsel and hereby moves this Court to continue the trial presently scheduled for May 21, 2012 at 8:30 a.m. to a date in July, other than the week of July 2, 2012. In support of this motion, Defendant states as follows:

1. Defendant awaits a metadata analysis of photographs taken in connection with search warrants issued in this case.
2. The results of this analysis, if consistent with Defendant's suspicions, will form the basis of one or more pretrial motions, including motions to suppress evidence.
3. Defendant does not expect to receive the results of this analysis for approximately twenty (20) to thirty (30) days from today's date.
4. In the absence of these results, Defendant cannot effectively proceed with pretrial motions or effectively prepare his defense.
5. For these reasons, Defendant filed a motion earlier today in the Magistrate Court to extend the time in which to file pretrial motions to April 28, 2012 and to continue the evidentiary hearing to a date to be selected by the Magistrate Court.

6. To grant Defendant's motion, though, the Magistrate Court will need additional time prior to trial to issue a report and recommendation on the pretrial motions Defendant ultimately files.

7. For this reason, Defendant files the instant motion.

8. For this same reason, the instant motion is necessary to provide counsel for the "defendant...the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." See 18 U.S.C. § 3161(h)(7)(B)(iv). Accordingly, "the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A).

9. Defendant, through counsel, has discussed this matter with assistant United States attorney Carrie Costantin. Ms. Costantin does not object to Defendant's request.

WHEREFORE, Defendant respectfully requests this Honorable Court continue the trial presently scheduled for May 21, 2012 at 8:30 a.m. to a date in July, other than the week of July 2, 2012.

Respectfully submitted,

ROSENBLUM, SCHWARTZ, ROGERS & GLASS, PC

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 23, 2012, the foregoing was electronically filed with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Ms. Carrie Costantin, assistant United States attorney.